

REMARKS

Claims 1-16 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 103(a) over Nakashima (4,926,253) in view of Ide (5,841,899), Dial (5,537,211 and Masuda (5,705,806).

The Examiner has rejected claims 1-9 and 11-13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakashima, Ide, Dial and Masuda.

A. Claim 1

In the June 16, 2005 Amendment, Applicant argued that Ide's red field image production unit 31 fails to select a specific wavelength band based on detected wavelength reflectivity characteristics of an original, such that the reflectivity at the wavelength band of a portion to be dropped out is high, as recited in claim 1 (page 9 of June 16, 2005 Amendment). In response to Applicant's arguments, the Examiner cites to a new reference, i.e., the Dial reference, as disclosing the claimed selection of a specific wavelength band (pg. 6 of Office Action). Specifically, the Examiner cites to column 10, lines 18-25, of Dial.

Dial is directed towards selecting wearables, such as cosmetics or clothing accessories, that match an object of interest (Abstract; col. 1, lines 6-8). Applicant submits that there is no teaching or suggestion of selecting a specific wavelength band based on detected wavelength reflectivity characteristics of an original, as recited in claim 1. Rather, the cited portion of Dial merely discloses that a single light source and a single photosensor, sensitive to reflectivity only, can be employed. In such an instrument, Dial teaches that filters could be selected to measure

reflectivity in desired wavelength bands. Thus, by virtue of being “desired” wavelength bands, the preferred wavelength bands are already known, and filters are selected that can measure reflectivity in those desired wavelength bands. There is no teaching or suggestion that specific wavelength bands are selected *after* wavelength reflectivity characteristics are *detected*, as recited in claim 1 (i.e., where claim 1 recites that the specific wavelength band is selected based on “detected” wavelength reflectivity characteristics of the original).

In view of the above, Applicant submits that Dial fails to cure the deficient teachings of Nakashima, Ide and Matsuda. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1.

B. Claims 2-9 and 11-13

Since claims 2-9 and 11-13 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

II. Rejections under 35 U.S.C. § 103(a) over Nakashima in view of Ide and Dial

The Examiner has rejected claims 10 and 14-16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakashima, Ide and Dial.

A. Claim 10

Since claim 10 contains features that are analogous to the features discussed above for claim 1, Applicant submits that claim 10 is patentable for at least analogous reasons as claim 1.

Response under 37 C.F.R. § 1.111
U.S. Application No. 09/736,297

D. Claims 14-16

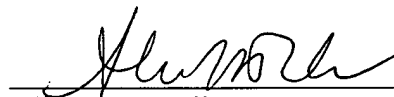
Since claims 14-16 are dependent upon claim 10, Applicant submits that such claims are patentable over the cited reference at least by virtue of their dependency.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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